

**APPROVED 3-4-13**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, February 4, 2013 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

**MEMBERS PRESENT:**

Vern E. Carlson, Chairman  
James J. Giulietti  
Theresa Ranciato-Viele  
Ronald D. Penton  
Richard E. Wilson, Alternate, sitting for Curtis D. Andrews  
Mary Jane Mulligan, Alternate  
Edward M. Homa, Alternate, arrived at 7:07 PM

**MEMBERS ABSENT:**

Curtis D. Andrews, Sr., Secretary

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Carlson, Chairman, opened the meeting at 7:04 p.m. and introduced the Commissioners, alternates and town staff. Then, Mr. Carlson asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that he would like to add under "Other" the appointing of a Planning & Zoning Commissioner to the Open Space Advisory Committee.

**OTHER:**

Mr. Carlson moved to appoint Mr. Penton to the Open Space Advisory Committee; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Penton – aye Wilson – aye

## **PUBLIC HEARINGS:**

The Commission elected to hear applications #P12-38S and #P12-38 together.

1. #P12-38S Special Permit Application (as authorized by Section 4.4.1.39), of Bernard Pellegrino, Esq., Applicant, Calvin & Bernice D'Addio, Owners, relative to 520 Washington Avenue, (Map 95, Lots 5 & 6). Plan Entitled: Special Permit/Site Plan application For a Proposed Apartment Community, 520 Washington Ave., North Haven, Connecticut. Prepared by Freeman Companies, LLC. Dated December 10, 2012. Scale 1" = 30'. CB-40/R-20 Zoning Districts.

## **SITE PLAN:**

4. #P12-38 Site Plan Application of Bernard Pellegrino, Esq., Applicant, Calvin & Bernice D'Addio, Owners, relative to 520 Washington Avenue, (Map 95, Lots 5 & 6). Plan Entitled: Special Permit/Site Plan application For a Proposed Apartment Community, 520 Washington Ave., North Haven, Connecticut. Prepared by Freeman Companies, LLC. Dated December 10, 2012. Scale 1" = 30'. CB-40/R-20 Zoning Districts.

Attorney Bernard Pellegrino, Jr. of the Pellegrino Law Firm continued presenting the applications for a proposed apartment community consisting of 125 residential dwelling units, and 3, 211 square feet of commercial space on approximately 4 acres.

At last month's meeting, the Commission requested the hiring of an independent traffic consultant to review parking and traffic conditions for this project. VN Engineers, Inc. was retained at the expense of the applicant to review the proposed development. Their report concluded that the proposed parking is adequate but the entrance driveway should be increased to a three lane configuration and its turning radius should be expanded to 30'. A three lane configuration is now proposed and the turning radii have been increased.

The Commission asked questions and Attorney Pellegrino, Mr. Steve Inglese, developer for 520 Washington Avenue, LLC, and Mr. Eric Labatte, Civil Engineer of Freeman Companies responded.

Mr. Carlson asked for public comment. There being no public comment the Public Hearing was closed.

## **PUBLIC HEARINGS (CON'T):**

2. #P13-01 Special Permit Application (as authorized by Section 8.10.4.1), of Bernard Pellegrino, Applicant, Eugene Criscuolo, Owner, relative to 61 State Street, (Map 59, Lot 38). Plan Entitled: "As Built" Revision, Site Plan #P03-69, Proposed Deck and Plant Replacement" Map, Prepared for Eugene P. Criscuolo, 61 State Street, North Haven, Connecticut. Prepared by Gordon Bilides, P.E. Dated January 18, 2003. Scale 1" = 20'. IL-30 Zoning District.

Mr. Giulietti recused himself from this application and Mr. Homa sat.

Attorney Pellegrino presented the application to permit the expansion of the Liquor Permit for the existing tavern/bar into the adjacent, approximately 1,450 square feet of restaurant space. The Special Permit is required by Section 8.10.4.1 of the regulations. No exterior work is being proposed. Mrs. Ranciato-Viele requested that sidewalks be installed and the dumpster be enclosed. She also asked that the landscaping be completed. The Commission asked questions and Attorney Pellegrino, Mr. Bodwell, Town Engineer, and Mr. Eugene Criscuolo, owner, responded.

Mr. Carlson asked for public comment. There being no public comment, the Public Hearing was closed.

3. #P13-02S Special Permit Application (as authorized by Section 8.10.1), of Richard Cuomo, Owner and Applicant, relative to 348-360 Sackett Point Road, (Map 35, Lot 13). Plan Entitled; As-Built, Improvement Location Survey, Property of Elm City Manufacturing Jewelers, Inc., 348-360 Sackett Point Road, North Haven, Connecticut. Prepared by Godfrey-Hoffman Associates, LLC. Dated January 11, 2006, rev. 6/19/07. Scale 1" = 40'. IG-80 Zoning District.

Attorney James Perito of Halloran & Sage, LLP presented the application to permit a beer distribution company to operate a distribution warehouse in this approximately 12,500 square feet of existing warehouse space. The Special Permit is required by Section 8.10.4.1 of the regulations. No exterior work is being proposed. The Commission asked questions and Attorney Perito and Mr. Richard Cuomo, owner, responded.

Mr. Carlson asked for public comment. There being no further public comment, the Public Hearing was closed.

#### **DELIBERATION SESSION:**

Mrs. Ranciato-Viele moved to go into deliberations; Mr. Penton seconded the motion. All were in favor.

#### **PUBLIC HEARING:**

1. #P12-38S Special Permit Application (as authorized by Section 4.4.1.39), of Bernard Pellegrino, Esq., Applicant, Calvin & Bernice D'Addio, Owners, relative to 520 Washington Avenue.

Mr. Penton moved to approve the application with a permanently staffed, full-time office manager and with building elevations proportionally reduced to maintain the originally proposed architectural appearance; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – nay Ranciato-Viele – aye Penton – aye Wilson- aye

The application was approved with appropriate conditions.

2. #P13-01 Special Permit Application (as authorized by Section 8.10.4.1), of Bernard Pellegrino, Applicant, Eugene Criscuolo, Owner, relative to 61 State Street.

Mrs. Ranciato-Viele moved to approve the application with a painted asphalt sidewalk on the center street frontage and full concrete sidewalks installed to the north and south sides of the property. Also, a previously approved, updated site plan must be submitted and if the business changes to a class 3 or 4 restaurant status, then the F.O.G. pretreatment program will be required; Mr. Homa seconded the motion. The Commission voted as follows:

Carlson – aye Ranciato-Viele – aye Penton – aye Wilson – aye Homa - aye

The application was approved with appropriate conditions.

3. #P13-02 Special Permit Application (as authorized by Section 8.10.1), of Richard Cuomo, Owner and Applicant, relative to 348-360 Sackett Point Road.

Mr. Giulietti moved to approve the application; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Penton – aye Wilson - aye

The application was approved with appropriate conditions.

#### **SITE PLANS:**

2. #P12-38 Site Plan Application of Bernard Pellegrino, Esq., Applicant, Calvin & Bernice D’Addio, Owners, relative to 520 Washington Avenue.

Mr. Penton moved to approve the application; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – nay Ranciato-Viele – aye Penton – aye Wilson - aye

The application was approved with appropriate conditions.

#### **CEASE & DESIST ORDERS:**

81 Old Broadway West – Construction of an office trailer and a bathroom on Building #1 without site plan approval.

**INFORMAL PRESENTATION:** None

**EXTENSION:** None

## **BONDS RELEASES & REDUCTIONS:**

#P12-01, 38 Broadway

Mrs. Ranciato-Viele moved to release the entire bond for application #P12-01, 38 Broadway, in the amount of \$130,000.00; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Penton – aye Wilson - aye

#P11-23, 432 Washington Avenue

Mrs. Ranciato-Viele moved to release the entire bond for application #P11-23, 432 Washington Avenue, in the amount of \$80,000.00; Mr. Wilson seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Penton – aye Wilson - aye

**CHANGE OF USE:** None

**CORRESPONDENCE:** - ZEO Report  
- Connecticut Federation of Planning & Zoning Agencies  
Newsletter, Winter 2013

The Commission requested to meet with Mr. Art Hausman, Zoning Enforcement Officer, to discuss zoning enforcement. Chairman Carlson agreed to arrange a meeting.

## **MINUTES:**

January 7, 2013

Mrs. Ranciato-Viele moved to approve the minutes of the January 7, 2013 meeting; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Giulietti – aye Ranciato-Viele – aye Penton – aye Wilson - aye

## **ADJOURN:**

There being no further business, Mr. Giulietti moved to adjourn; Mr. Penton seconded the motion. The meeting was adjourned at 8:10 PM.